IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 601 of 2006 (S/S)

Prem Datt Thapliyal
S/o Sri Devanand Thapliyal
R/o Village Beri (Bamti)
P.O. Badethi
District Uttarkashi .....Petitioner

Versus

1. The State of Uttaranchal through
   Secretary, Irrigation Department.
2. Engineer in Chief, Irrigation Department
   Uttaranchal, Dehradun
3. Superintending Engineer, Mandal II
   Joshiyara, Uttarkashi.
4. Executive Engineer, Maneri Bhali Surang
   Nirman Khand, Chinyali Saur
   District Uttarakashi .....Respondents.

Shri Gopal Narain, learned counsel for the petitioner.

Hon'ble Prafulla C. Pant, J

Learned counsel fro the parties are present.

2. By means of this petition, the petitioner has sought mandamus to make payment of regular salary to the petitioner on the basis of equal pay equal work. Indirectly, the petitioner has sought regularization in service in the irrigation Department, where the petitioner is working as Beldar on daily wages.

3. In view of the principle of law laid down in ***Secretary, State of Karnataka Vs. Uma Devi, reported in (2006) 4 Supreme Court Cases, Pg. 01,*** wherein it has been held that the workers on daily wages or the persons who get employed without undergoing regular selection process, should not be permitted to be absorbed or

regularised against the constitutional scheme of public employment, this Court is not inclined to issue direction to regularize services of the petitioner, as such, the petition is liable to be dismissed.

4 The writ petition is dismissed with the observation that the petitioner may make representation to the concerned authorities for redressal of his grievances. Interim order, if any, stands vacated. (All pending applications also stand disposed of).

(Prafulla C. Pant, J.)

Dt. 16.04.2007
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